

MOTION INFORMATION STATEMENT

Docket Number(s): 16-3877, 17-8

Caption [use short title]

Motion for: Extension of Time

Paulsen v. Primeflight Aviation Services,

Set forth below precise, complete statement of relief sought:

An extension of two weeks to June 5, 2017, to file
Appellant-Cross-Appellee's brief

MOVING PARTY: PrimeFlight Aviation Services

☐ Plaintiff

☐ Defendant

☒ Appellant/Petitioner

☐ Appellee/Respondent

OPPOSING PARTY: James G. Paulsen, Regional Director of Region 29 of the National Labor Relations Board

MOVING ATTORNEY: Christopher C. Murray

[name of attorney, with firm, address, phone number and e-mail]

OPPOSING ATTORNEY: Jonathan Mark Psotka

Ogletree, Deakins, Nash, Smoak & Stewart, PC

111 Monument Cir., Ste. 4600

Indianapolis, IN 46204

National Labor Relations Board Division of Advice

1015 Half Street, NE

Washington, DC 20570

Court-Judge/Agency appealed from: _____

Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1):



Yes



No (explain): _____

Opposing counsel's position on motion:



Unopposed



Opposed



Don't Know

Does opposing counsel intend to file a response:



Yes



No



Don't Know

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND
INJUNCTIONS PENDING APPEAL:

Has request for relief been made below?



Yes



No

Has this relief been previously sought in this Court?



Yes



No

Requested return date and explanation of emergency: _____

Is oral argument on motion requested?



Yes



No

(requests for oral argument will not necessarily be granted)

Has argument date of appeal been set?



Yes



No

If yes, enter date: _____

Signature of Moving Attorney:

s/Christopher C Murray

Date: 5-16-2017

Service by: ☒ CM/ECF



Other [Attach proof of service]

IN THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

----- X
JAMES G. PAULSEN, Regional Director of :
Region 29 of the National Labor Relations Board :
for and on behalf of the NATIONAL LABOR : Case No. 16-3877, 17-8
RELATIONS BOARD, :
 :
 :
Plaintiff-Appellee, :
 :
 :
v. :
 :
 :
PRIMEFLIGHT AVIATION SERVICES, INC., :
 :
 :
Defendant-Appellant.
----- X

**APPELLANT-CROSS-APPELLEE PRIMEFLIGHT AVIATION SERVICES, INC.’S
UNOPPOSED MOTION FOR EXTENSION OF TIME**

Appellant-Cross-Appellee, PrimeFlight Aviation Services, Inc. (“PrimeFlight”), by counsel, respectfully moves without opposition for an extension of two weeks to June 5, 2017, to file and serve its brief in response to the brief of Appellee-Cross-Appellant James G. Paulsen, Regional Director of Region 29 of the National Labor Relations Board for and on behalf of the National Labor Relations Board (“Board”). In support, PrimeFlight states:

1. PrimeFlight’s brief in response to Appellee-Cross-Appellant’s brief is presently due to be filed and served by May 22, 2017.
2. After PrimeFlight filed its Local Rule 31.2 scheduling notification proposing May 22, 2017, as the deadline for its brief, a third-party filed an amicus brief in support of the Board on March 29, 2017. That amicus brief adds to the material to which PrimeFlight must respond in its brief.
3. In addition, during the time allowed for preparing this brief, PrimeFlight’s undersigned counsel has had primary responsibility for the following, among other duties:

- a. For *Epic Systems Corp. v. Lewis*, No. 16-285 (S.Ct.), *Ernest & Young LLP v. Morris*, No. 16-300 (S.Ct.) & *NLRB v. Murphy Oil USA, Inc.*, No. 16-307 (S.Ct.): Researching and drafting a brief on behalf of the Society for Human Resources Management, National Federation of Independent Business, National Association of Home Builders, and Council on Labor Law Equality as amici in these consolidated appeals pending in the Supreme Court. The deadline for this brief was May 5, 2017, until on April 28, 2017, the Court granted the parties' request for an extension making the amicus brief now due June 16, 2017.
- b. For *Crawford v. Professional Transportation, Inc.*, No. 3:14-cv-00018 (S.D. Ind.): Researching and drafting three briefs in a Fair Labor Standards Act collective action involving approximately 3,500 Opt-In Plaintiffs, including an opposition to Plaintiff's motion for reconsideration of an order decertifying the collective action, an opposition to Plaintiff's motion for partial summary judgment, and an opposition to Plaintiff's renewed motion to certify a class action, all of which are due to be filed on May 26, 2017.
4. In addition, PrimeFlight's undersigned counsel has been out of the office for two weeks for work and personal travel in April and May.
5. The purpose of this requested extension is not to delay these proceedings but to allow PrimeFlight sufficient time to fully address the issues raised by the Board and the amicus party in their respective briefs.
6. PrimeFlight has not previously requested an enlargement of time for this brief.
7. PrimeFlight has conferred with Jonathan Psotka, counsel for the Board, and is authorized to state the Board does not oppose this Motion or intend to file a response to it.

WHEREFORE, PrimeFlight respectfully moves without opposition for an order granting it a two week extension of time, to and including June 5, 2017, to file and serve its brief.

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By s/ Christopher C. Murray
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*Attorneys for Respondent
PrimeFlight Aviation Services, Inc.*

CERTIFICATE OF SERVICE

I certify that on this 16th day of May, 2017, I caused the foregoing Motion to be filed electronically with the Clerk of the Court using the CM/ECF System, thereby serving all counsel.

s/Christopher C. Murray

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